

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPELLANT:	Y. Kii	CONF. NO.:	3397
U.S. SERIAL NO.:	10/797,743	EXAMINER:	J. Repko
FILED:	March 9, 2004	GROUP:	2628
FOR:	METHOD AND APPARATUS FOR HIGH-SPEED SHADOWING USING SHADOW VOLUMES		

Mail Stop Appeal Brief—Patents
Commissioner for Patents
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REPLY BRIEF TO SUPPLEMENTAL EXAMINER'S ANSWER

Sir:

The following is in reply to the Supplemental Examiner's Answer mailed October 16, 2008, in connection with the appeal of the above-referenced application.

This Reply Brief is being filed within two months of the mailing date of the Supplemental Examiner's Answer. As such, this Reply Brief should be considered timely filed.

The following responds to remarks made in the "Response to Argument" section on pages 16-18 of the Supplemental Examiner's Answer regarding the arguments included in Appellant's Reply Brief filed on July 28, 2008.

On page 16 of the Supplemental Examiner's Answer, the Examiner alleged that the arguments contained in the Reply Brief filed on July 28, 2008 raise "new issues by refocusing the argument to the claim term 'hidden surface removal.'"

However, as discussed under subheading I of the Appeal Brief, the Shimizu reference does not teach or suggest performing a "hidden surface removal" process to obtain the claimed coordinate region.

In particular, this argument is detailed on pages 6-7 of the Appeal Brief (see, e.g., subheading I), and is further addressed on page 2 of the Reply Brief.

To summarize Appellant's argument, the passages of Shimizu cited by the Examiner (i.e., column 18, lines 49-51 and column 21, lines 25-27, as cited on page 4, paragraph iii of the Final Office Action), do not teach or suggest any hidden surface removal process used for obtaining the claimed "coordinate region."

Instead, as discussed on pages 7-8 of the Appeal Brief (subheading II), and repeated on page 2 of the Reply Brief, the Shimizu reference discloses a "layer by layer" processing, which does not correspond to the Appellant's claimed hidden surface removal process used for obtaining a coordinate region that is positioned behind the front-facing shadow polygons and in front of the back-facing shadow polygons.

On page 16 of the Supplemental Examiner's Answer, the Examiner also alleged that "Appellant's characterization appears to be inconsistent with the language of the claims, or at least not required by the claims." This allegation is unsupported by the record. Apparently, the Examiner is referring to Appellant's argument that the Shimizu reference does not teach or suggest that "a hidden surface removal process is performed for 'obtaining a coordinate region that is positioned behind the front-facing polygons and in front of the back-facing shadow polygons.'"

However, the above argument contained in subheading I of the Appeal Brief clearly is supported by independent claims 1, 4, and 9.

For example, independent claim 1 recites "a hidden surface removal and shadowing processing section for obtaining a coordinate region that is positioned behind the front-facing shadow polygons and in front of the back-facing shadow polygons..." In other words, the above argument follows from the claim language of independent claim 1 (see also claims 4 and 9).

Further, on page 18, first paragraph of the Supplemental Examiner's Answer, the Examiner alleged that "Shimizu also discloses the coordinate region is obtained *after the hidden surface removal processing is performed*, as required by the claims because the Z-buffer values determined by the hidden surface removal processing are used in the layer-by-layer processing that obtains the region," citing column 21, lines 25-27 and column 19, lines 17-19 of Shimizu.

However, as discussed on pages 6-7 of the Appeal Brief and page 2 of the Reply Brief, the above sections of Shimizu cited by the Examiner simply do not teach or suggest that a hidden surface removal process is performed in order to obtain a coordinate region that is positioned behind the front-facing shadow polygons and in front of the back-facing shadow polygons.

One of ordinary skill in the art would understand that a Z-value buffer and layer-by-layer processing disclosed in Shimizu are not equivalent to the Appellant's claimed "hidden surface removal process" that is used "for obtaining a coordinate region that is positioned behind the front-facing shadow polygons and in front of the back-facing shadow polygons," as recited in independent claim 1 (see also claims 4 and 9).

Appellant: Y. Kii
U.S. Serial No. 10/797,743
Reply Brief to Supplemental Examiner's Answer
Page 4 of 4

There is no fee required for the submission of this Reply Brief. However, if, for any reason, a fee is deemed to be required, the Commissioner is hereby authorized and requested to charge Deposit Account No. **04-1105**.

Respectfully submitted,

/Steven M. Jensen/

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